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EXECUTIVE BUILDING - 300 FOURTH STREET

ELYRIA, OHIO 44036

US EPA RECORDS CENTER REGION 5



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AREA CODE 216

September 21, 1982

Kathleen Ann Sutula, Esq.
Assistant U. S. Attorney
United States Department of Justice
1404 E. Ninth St.
Suite 500
Cleveland, Ohio 44004

Re: United States of America vs.
Chemical Recovery Systems, Inc., et al.

Dear Ms. Sutula:

Please accept my apologies for taking so long in responding to you since our discussion; a number of unforeseen delays occurred.

By way of settlement, Chemical Recovery Systems proposes the following:

- (1) CRS is willing to grade the entire site sloping same gently toward the river and seed the surface with grass in conformance with the attached suggestions by KECK Consulting Services, Inc.
- (2) In the area of the "Brighton Still" CRS will remove the top foot of soil around the perimeter of the building foundation to a distance of two feet from the foundation, dispose of the removed soil in an approved waste disposal site and either grade or backfill the area to conform with the terrain.
- (3) CRS will not agree to sealing the existing sewer drain pipe on the premises due to the fact that the interior of same has been photographed by the City and appears to be sound. With the permission of the City of Elyria, these photographs will be produced. I have placed the City of Elyria on notice, by way of a letter to the City Solicitor, that if the matter of the sewer becomes an issue then I will have no choice but to join the City as a Party Defendent.

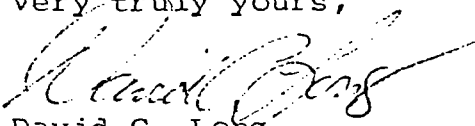
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- (4) CRS will not drill and monitor "Piezometer holes" on the property as requested by the EPA. Upon reviewing this request with its consulting engineering firm, using the limited information available, CRS is informed that, depending upon the objectives to be accomplished, either the borings already made by the EPA on the premises will be sufficient, or "Piezometer holes" off the premises would be required, which of course CRS cannot agree to. Perhaps some further clarification is necessary.

After you have discussed this proposal with EPA, please let me know whether or not you think settlement is possible.

Thanking you for your ongoing cooperation and consideration,
I am

Very truly yours,



David C. Long

DCL:cas

cc: Mr. James C. Freeman
Mr. Peter Shagena
Mr. Joseph Heimbuch
Gary McInerney, Esq.
Richard Stevens, Esq.